

Dear Judge,

I am a single father of four children and the four children live with me and I am responsible for them. I am from a respectable and good family in Iraq and since I came to the United States of America, I have not had any problems. I am a source of support for the community here and I help them and provide the necessary support to anyone in need. I pay taxes and I have my own business but because of this problem my life is very unhappy. I cannot travel and meet my family and there is a woman I plan to marry, I cannot because I must go to her and date her. I ask you for justice if I am not a good person and they have evidence against me I am ready and respect any decision issued against me, but it must be under your respected justice, if I am an innocent person I am only asking for my right which is the freedom guaranteed by the United States constitution. I can collect hundreds of signatures from the community that I am an honest and respectful person in community.

My name is Seaf Almashiakhy I originated in the country of Iraq. In 2004 I left Iraq, soon I went to Syria until 2009. After Syria I made a journey to the United States of America. I am one of the main heads of the Iraqi community in Buffalo New York. In the year of 2014 during the time when ISIS took a large part of Iraq, I was asked to cooperate by two FBI officers. They asked me to cooperate with them about Iraq. I had several friends who had information against ISIS in Iraq. I contacted them and started asking them for information against ISIS. They began to provide the information, and I transferred it as is directly to the FBI. After that, the FBI offered me a sum of money, but I refused, and it upset me. I told them that I do not deal with you for money, and I considered this offer an insult to me. I dedicated my time to serve USA and Iraq and to make society safer. I did not do anything for financial benefit. I stated that if they wanted me to work with them, I would be ready to work, but in an official manner. I continued to work alongside them, and I later acquired US citizenship. They told me to take the police tests, the FBI tests, and any government job opportunities and they would help me get a job with them. I applied and passed several police exams. One day, FBI officers asked me to come to the FBI office at Buffalo, NY to take my fingerprints to get a job with them. I went there and was surprised because they took my fingerprints on regular paper and ink. This made me suspicious of their actions. I had a problem with my ex-wife, and when they found out, they came to her and asked about me. My ex-wife had later informed me on everything that had happened while I was away. I had an immigration lawyer friend of mine and I took her and went to him, and I told him the story. He told me I should stay away from them because they were playing games. I took his advice, and I sent them a text saying I no longer want to deal with you. To stay professional, I then told them that if they had any questions to contact my lawyer, Michael Borker. After these courses of events, they wanted to punish me because I decided to cut off my connections with them. I tried to return from Canada peacefully, but I was met with an officer arresting me. They later kept me at the boarder for at least 5 hours. They also handcuffed me, and they wouldn't answer any of my questions. After this incident in the beginning of 2017, they asked me for an investigation at their office in Buffalo. I later realized they had built fake evidence against me using my fingerprints that I had taken earlier on paper and ink. They told me that they found evidence against me in Iraq, devices used in explosives. They also claimed these devices had my fingerprints on them. They showed me a picture of the device with my fingerprints on it, but it was clear that it has regular ink on it. I stated, "Okay, why don't you arrest me and take me to court?" The answer they had given me was that I was a good person because I had worked with them and gave them nothing but honest and valuable information. While I was

with them in the office, they sent four groups. These four groups went to my brother, my ex-wife, my friend and my cousin. They told them that they had found evidence against me. I stayed in the investigation room for 6 hours. In the end they said to me that I was an honest man. They also told me that all my answers to the questions I was asked by them matched the answers of all my family and my associates. They told me that all I had to do now was a lie detector test. They read me the bill of rights and told me I had the right to bring or contact a lawyer. The officers told my lawyer Michael Borker about what they had found, and all the incriminating evidence against me. I asked to contact my attorney and when I did, he told me to not take the test without him present. I told the officers at the time what my lawyer had said. I ended up not taking the test because my lawyer advised against it. After this incident I sent my wife and my children to Iraq. I planned to go after them, meet my family there, and fix the problem with my wife because we were having marital issues. I bought the ticket and I went to the airport, the airport system didn't give me any issues when I tried to check in. But suddenly out of nowhere I met with 4 officers and they told me I was not allowed to travel. I asked them why they said I had to contact the FBI officers to know. While I was at the airport I contacted the FBI officer, and he ended up coming to the airport. When he arrived he told me if I wanted to travel I should take the lie detector test. When he said this to me I called my lawyer Michael Borker, and he advised me not to take the test again. Later on when I tried to go to Canada I found out they had locked the system against me. Canada wasn't letting me enter the country. In my return the American officers did the same thing and kept me at the boarder. They handcuffed me again and one of the officers present at the time pointed a gun at my head, even though I was peaceful and not violent. The officers also searched all my devices and they kept them for 3 hours. Then I was forced to stay at the boarder for 5-6 hours. When I informed my attorney about this situation he applied for TSA redress on my behalf. After we applied we had received papers informing us that I can travel and my issue was minimal. Later on in 2021 I bought another plane ticket to visit my mother and my family in Iraq. When I arrived at the airport, United airways had called the FBI on me. An officer came upto me and told me I wasn't allowed to travel, so I showed him the paper from TSA that said I could travel. The officer then stated that they didn't care, and that they didn't want me to travel. When I responded and asked him why he said the head of the FBI wanted to sit down with me. He didn't tell me why they wanted to sit down with me all he said was that they didn't want me to travel. 2 years passed since this incident and in 2023 I bought a plane ticket from Buffalo NY where I reside to new jersey. Again when I got to the airport two officers stated they were from TSA and the other two officers said they were airport police. When they approached me they told me once again I wasn't allowed to travel. But when I asked them why they told me I had to go online and apply for redress again. They didn't tell me why I had to reapply. But when I did they sent me a letter that said they added my name onto the no fly list. After this happened I hired another attorney alongside Michael Borker, his name is Peter Nicely. I worked with both my attorneys and we formed cases against the FBI, TSA, and the Buffalo airport police, as well as United Airlines. Near the end of 2023 my mother went to Canada because my brother and his wife stay there. I tried to go visit my mother in Canada and the Canadian boarder allowed me to enter because I had a good reason, which was to see my family. After the trip when I tried to come back to America, they stopped me at the boarder again. They handcuffed me yet again, but this time they also handcuffed my two underaged sons. After this incident I tried many times to visit my family in Canada again but when I try to come back they keep handcuffing me and forcing me to stay at the boarder. They also started taking my electronics, searching them, then shipping them

back to me after a week, sometimes longer.

Violation #1 : Fabricated fake evidence against me

Violation #2 : Shared this fabricated evidence with people from my community as well as my family

Violation #3 : They broke my 14<sup>th</sup> Amendment right to travel

Violation #4 : Falseley arrested me at the boarder

Violation #5 : Arrested my two underage sons

Violation #6 : Everyone that traveled from my community was asked about me, which made my community scared of me

Violation #7 : Made me lose a lot of money on the plane tickets I booked that I was not allowed to use

Violation #8 : They continued to search my devices every time I tried to travel and they kept it for more than a day, which breaks my privacy

Violation #9 : They interrogated my wife as well as the rest of my family

To conclude, I have built a good image of myself in my community. This has boosted me to a high position in my community. I own businesses and contribute to the economy. When I came to the United States with nothing, I finished college in Buffalo. I have received three certificates, one for homeland security, an associates degree for general study sciences, and I received my bachelor's degree in business administration (management). During the time of all these incidents with the FBI while I was in college it affected me severely. It caused me to not focus, and I even failed a couple of classes. Despite all this I still tried and took the classes again and passed the second time. When I first came to the United States, I believed America was a country of freedom and justice. Later my opinion changed because of everything they put me through for no reason. Even though I did nothing except help them, in return they took my rights away from me.

**New York Western District Court**

**Judge:**

**John L Sinatra, Jr**

**Referred:**

**Jeremiah J McCarthy**

**Case #:**

**1:23-cv-00841**

**Nature of Suit**

**440 Civil Rights - Other Civil Rights**

**Cause**

**28:1343 Violation of Civil Rights**



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Judge: Jeremiah McCarthy

